



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

Aaron Portis 05266-088

(Enter above the full name of the plaintiff
or plaintiffs in this action).

(Inmate Reg. # of each Plaintiff)

VERSUS

CIVIL ACTION NO. 2:07-0260
(Number to be assigned by Court)

Robert Stonaker

(Enter above the full name of the defendant
or defendants in this action)

COMPLAINT

I. Previous Lawsuits

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes _____ No X

- B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit:

Plaintiffs: _____

Defendants: _____

2. Court (if federal court, name the district; if state court, name the county);

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3. Docket Number: _____

4. Name of judge to whom case was assigned:

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

-
6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

II. Place of Present Confinement: South Central Regional Jail

A. Is there a prisoner grievance procedure in this institution?

Yes _____ No X

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes _____ No X

C. If you answer is YES:

1. What steps did you take? _____

2. What was the result? _____

D. If your answer is NO, explain why not: I am a Federal
inmate.

III. Parties

(In item A below, place your name and inmate registration number in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of Plaintiff: Aaron Portis 05266-088

Address: 1001 Centre Way Charleston, WV 25309

B. Additional Plaintiff(s) and Address(es): _____

(In item C below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item D for the names, positions, and places of employment of any additional defendants.)

C. Defendant: Robert Stonaker

is employed as: Director

at Bannum Place

D. Additional defendants: _____

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

Robert Stonaker practiced discriminatory
actions toward black residents at Bannum Place
by using faulty breathalyzers to attain false
readings as if the residents had been drinking.
White residents who failed to pass the breathalyzer
were given a urinalyses to determine if alcohol
was in their system, which is a more accurate
test than the breathalyzer when indeed the urine

IV. Statement of Claim (continued):

test would come back negative that would prove that the breathalyzer was indeed incorrect as in the case of Randy Eylon who was a white resident at Bannum. I myself took a breathalyzer which registered as a positive. I then asked Mr. Stonaker for a urine test and told him I had not been drinking. He refused me a urine test and wrote me an incident report and had me picked up and taken into custody by the U.S. Marshalls under false pretenses.

V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments.
Cite no cases or statutes.

I would like Robert Stonaker removed as director and I would like to sue for punitive damages to my family, myself and for the loss of salary from my place of employment.

Statement of Claim (Continued)

In addition to the 04-06-07 incidents previously listed; please note that according to eyewitnesses (staff member Melissa Wilson and residents of Bannum House present at time of incident), Mr. Stolnaker's claims that I was acting or speaking in a threatening manner is not true. When I asked for a urinalysis, as I knew he had given Mr. Randy Epilom (a white resident), these same witnesses heard Mr. Stolnaker say to me, "I'm not giving you a f---- thing".

To further reflect this pattern of behavior by Mr. Stolnaker, on or about 04-20-07 (as records will reflect) family members of Mr. Rasean Beatty (a Black Male) resident at Bannum House requested an investigation by the WV State Police into allegations that after Mr. Beatty and a white resident (Mr. Kermit Canaday) got into a fight. Mr. Stolnaker only wrote up Mr. Beatty having US Marshals pick him (Mr. Beatty) up. After the investigation into this matter by authorities, the decision was made to transfer Mr. Canaday to another facility and reverse decision on Mr. Beatty allowing him to return to Bannum House.

V. Relief (continued)):

VII. Counsel

- A. If someone other than a lawyer is assisting you in preparing this case, state the person's name:

- B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action?

Yes _____ No X

If so, state the name(s) and address(es) of each lawyer contacted:

If not, state your reasons: I do not have sufficient
funds at this time to retain a lawyer.

- C. Have you previously had a lawyer representing you in a civil action in this court?

Yes _____ No X

If so, state the lawyer's name and address:

Signed this 17th day of April, 2007.

Aaron Portis

Signature of Plaintiff or Plaintiffs

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 17 2007
(Date)

Aaron Portis
Signature of Movant/Plaintiff

Signature of Attorney
(if any)